

**MINUTES**  
**HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR**  
**Room B-8 - Civic Center**  
**2000 Main Street**  
**Huntington Beach California**

**WEDNESDAY, FEBRUARY 28, 2007 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Mary Beth Broeren

**STAFF MEMBER:** Rami Talleh, Andrew Gonzales, Ron Santos, Jeanie Cutler  
(recording secretary)

**MINUTES:** **NONE**

**ORAL COMMUNICATION:** **NONE**

**ITEM 1: TENTATIVE PARCEL MAP NO. 2006-188/CONDITIONAL USE PERMIT NO. 2007-004**  
**(LIBERTY AVENUE CONDOMINIUMS):**

APPLICANT: Duc Nguyen, 11770 E. Warner Avenue, #216, Fountain Valley, CA 92708

PROPERTY OWNER: Lannie Truong, 18692 Jockey Circle, Huntington Beach, CA 92648

REQUEST: **TPM** To permit the consolidation of two parcels totaling approximately 11,880 sq. ft. into one lot for condominium purposes;  
**CUP** To construct four, two-story condominium dwelling units exceeding 25 ft. in height on a lot with a grade differential exceeding three ft. between the high and low point. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.

LOCATION: 7762-7772 Liberty Avenue (south side of Liberty Avenue, west of Beach Blvd.)

PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary emphasizing the suggested modifications to the plans.

Staff stated the applicant concurs with the suggested conditions of approval however has expressed some concern with the condition to move the parking space to line up with the adjacent space and would like to see the condition modified so that this space lines up with the garage to provide for more vehicle maneuverability.

Staff stated that one neighboring resident submitted a letter in opposition to the project concerning an increase in traffic. No other written or verbal comments were received in response to the public notification.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary.

Mary Beth Broeren, Zoning Administrator, stated she had reviewed the letter concerning the traffic issue and confirmed with staff that the project does not directly access the alley (towards end of Liberty near end of the site). The resident had indicated the alley is used as a shortcut to Slater Avenue; however, staff noted there is a street parallel to the alley to accommodate that traffic.

Ms. Broeren confirmed with staff the maximum allowable building height to be 35 ft., and with the grade differential the project is essentially 27 ft., and requested the site plan be corrected to reflect such.

**THE PUBLIC HEARING WAS OPENED.**

**THERE WERE NO PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Discussion ensued concerning condition No.1.b, in relation to the turning radius space and staff suggested changing the language of the condition to extend the landscape planter and guest parking space towards the end of the garage.

Ms. Broeren confirmed with staff that the applicant is willing to comply with the Department of Public Works code requirements in relation to drainage.

Ms. Broeren stated that she was going to approve the request with the suggested findings and asked staff to modify suggested condition No.1.b under the Conditional Use Permit for the landscape planter to be extended so that the parking space does not extend beyond the garage.

**TENTATIVE PARCEL MAP NO. 2006-188/CONDITIONAL USE PERMIT NO. 2007-004 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND MODIFIED CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, which exempts multi-family residential structures consisting of six or fewer units in urbanized areas.

**FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 2006-188:**

1. Tentative Parcel Map No. 2006-188 to permit a 11,880 sq. ft. one-lot subdivision for condominium purposes is consistent with the General Plan Land Use Element designation of RM-15 (Residential Medium Density – 15 units/ acre) on the subject property and other applicable provisions of the Huntington Beach Zoning & Subdivision Ordinance. The RM-15 designation provides for residential development at a maximum density of 15 units per acre. The project proposes residential development at a density of 14.8 units per acre. In addition the project complies with all applicable development standards of the Huntington Beach Zoning and Subdivision Ordinance, including minimum lot size and width, minimum on-site parking, landscaping, setbacks and open space, and maximum building height.

2. The site is physically suitable for the type and density of development. The project site is regular in shape, has no unique topographical or other constraints to development, can accommodate the proposed development in accordance with all applicable codes and development standards and is accessible from an existing public street. In addition, the project site is designated for residential development by the General Plan and Zoning maps, and is adjacent to existing residential development of comparable design and density.
3. The design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project consists of residential development on a previously developed lot in an urbanized area. The project site does not serve as habitat for fish or wildlife and contains no known environmental hazards. The project will comply with all applicable Code requirements.
4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. No easements acquired by the public at large exist within the proposed subdivision and all necessary dedications for public right-of-way will be provided as a prerequisite to final tract map approval.

#### **FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2007-004:**

1. Conditional Use Permit No. 2007-004 to construct four, two-story condominium dwelling units exceeding 25 ft. in height on a lot with a grade differential exceeding three ft. between the high and low point will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The project will not generate noise, traffic, odors or other impacts at levels inconsistent with the residential character of the existing neighborhood. Adequate parking to serve the proposed project will be provided on site in conformance with the requirements of the HBZSO. The project will provide new housing anticipated to have a positive impact on the value of property in the neighborhood.
2. The conditional use permit will be compatible with surrounding uses because the project consists of construction of townhouse style multi-family residential dwellings in a neighborhood predominately developed with multi-family housing of comparable design, density and building height. The proposed dwellings are designed to convey a high level of quality and a character consistent with the City of Huntington Beach Urban Design Guidelines.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance, including maximum density, height and lot coverage; and minimum lot size, lot width, building setbacks, landscaping, off-street parking and open space requirements.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RM-15 (Residential Medium-Density – 15 units/acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

L.U. Policy 9.1.1: Accommodate the development of single- and multi-family residential units in areas designated by the Land Use Plan Map, as stipulated by the Land Use and Density Schedules.

The proposed Tentative Tract Map and Conditional Use Permit provide for the construction of 3 dwelling units at a density of 14.7 units per acre. The General Plan Land Use and Density

Schedule allows for residential development on the subject property at a maximum density of one unit per 15 acres.

L.U. Policy 9.1.3: Require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character, including the following guidelines:

- a. Design building elevation to convey the visual character of individual units rather than a singular building mass and volumes.
- b. Include separate and well defined entries to convey the visual character of individual identity for each residential unit, which may be accessed from exterior facades, interior courtyards and/or common areas.
- c. Site and design parking areas and facilities that are integrated with but do not dominate the architectural character of the structure.
- d. Include an adequate landscape setback along the street frontage that is integrated with abutting sidewalks and provides continuity throughout the neighborhood.

The proposed design conveys a visual character comparable to single-family residential development and features substantial articulation of building elevations and masses, including a variety of roof lines, wall planes, window and door arrangements. All dwellings feature attached integrated garages and covered porch entries. Open parking spaces and decorative paving treatments are located and provided so as to minimize and break up large expanses of paving.

**CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 2006-188:**

1. The Tentative Parcel Map No. 2006-188 to permit an 11,880 sq. ft. one-lot subdivision for condominium purposes received and dated January 17, 2007, shall be the approved layout.
2. The following conditions shall be completed prior to recordation of the Final Map:
  - a. The draft Affordable Housing Program received and dated January 23, 2007, identifying one on-site unit for-sale as affordable (based upon minimum 10% of the total four units proposed for the site), shall be the approved program. An Affordable Housing Agreement in accordance with the Affordable Housing Program shall be submitted to the Planning Department for review and approval by the City Attorney, and accepted by the City Council. Said agreement shall be recorded with the Orange County Recorder's Office prior to issuance of the first building permit for the tract. The Agreement shall comply with HBZSO Section 230.26 and include:
    - i. A detailed description of the type, size and location of the affordable housing for-sale unit on-site. There shall be one unit with three bedrooms.
    - ii. The unit shall be affordable to median-income households (income level up to 100% of Orange County median). The Orange County median income is adjusted for appropriate household size.

The affordable units shall be constructed prior to or concurrent with the primary project. Final approval (occupancy) of the first market rate residential unit(s) shall be contingent upon the completion and public availability, or evidence of the applicant's reasonable progress towards attainment of completion of the affordable units.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2007-004:**

1. The site plan, floor plans, and elevations received and dated January 17, 2007, shall be the conceptually approved design with the following modifications:
  - a. The common area landscaping located along the westerly property line between Units A and B shall be extended towards the east to the edge of the abutting garage.
  - b. The landscape planter and guest parking space located along the easterly property line abutting Unit C shall be relocated/extended towards the west to the edge of the abutting garage.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**ITEM 2: TEMPORARY USE PERMIT NO. 2007-001 (HUNTINGTON SURF & SPORT OUTDOOR SALES):**

APPLICANT:	Aaron Pai, 300 Pacific Coast Highway, Unit 408, Huntington Beach, CA
PROPERTY OWNER:	Mohammed Zeidan, 200 Main Street, Unit 103, Huntington Beach, CA 92648
REQUEST:	To permit temporary outdoor sales on approximately forty-nine (49) days per year for a period of five (5) years from 2007-2011.
LOCATION:	126 Main Street, Unit 101 (south-east corner of Main Street and Walnut Avenue)
PROJECT PLANNER:	Andrew Gonzales

Andrew Gonzales, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary. Staff stated this request replaces the existing 2005-2009 permit and is being requested with a modified time period of 2007-2011. Mr. Gonzales stated that the Department of Code Enforcement has not received any past notices of violations for temporary outdoor sales events at this location and Huntington Surf & Sport has adhered to its previous conditions of approval. Staff also stated that the Department of Economic Development and the Police Department had no objections to the request, and in addition, the Police Department indicated they have not received any reports of significant events at the subject site.

Staff stated that some inquiries had been received with concerns related to vendors in the downtown area violating the approved conditions with respect to outdoor sales events being conducted on days not approved by the City and displaying items in the public right-of-way. Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary along with the following additional conditions required by Department of Public Works:

The site plan shall include the following items:

- a. Square footage of the proposed sidewalk sale area.
- b. Indicate entire sidewalk sale area.
- c. Dimension the pedestrian path of travel in the City right-of-way.
- d. Indicate the pedestrian path of travel.
- e. Indicate with a note that a clear unobstructed pedestrian path of travel shall be maintained along the sidewalk at all times.
- f. Indicate the meaning of each symbol that appears on the site plan.

Mary Beth Broeren, Zoning Administrator, asked staff if there had been any communication in relation to the public notification and staff confirmed that one inquiry was received with concerns relating to vendors in general in the downtown area not abiding by the code requirements.

Ms. Broeren clarified with staff that the number of days (49 annually) requested remains the same as the previously approved permit, and this request is to ensure the dates fall on weekends rather than midweek.

Discussion ensued in relation to the number of racks, if on private property, the Building Department review, property line, and minimum clearance.

#### **THE PUBLIC HEARING WAS OPENED.**

Aaron Pai, applicant, asked for clarification with respect to the duration of the current Temporary Use Permit. Mr. Pai stated he was taking steps to address the issue of appearance for outdoor sales by using Disneyland as an example to his employees in order to portray that same level of excellence. Mr. Pai apologized and took full responsibility for any goods that may have mistakenly been displayed on public property in the past and assured the Zoning Administrator it would not happen again.

Kathy Schooley, Code Enforcement Officer for The City of Huntington Beach, stated that no complaints had been received and that Huntington Surf and Sport has always been in compliance with the codes.

#### **THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Ms. Broeren confirmed with Mr. Pai his understanding of the recommended conditions of approval including the additional conditions from the Department of Public Works.

Ms. Broeren stated she had received an email communication from Mr. Ed Kerins with concerns about the busy corner and how the level of activity in this pedestrian environment may conflict with the request.

Ms. Broeren reiterated that the City has always found Huntington Surf & Sport to be a responsible operation and historically complaints have not been received. Ms. Broeren stated that it must be recognized that this is a busy intersection and approved permits are always subject to revocation if problems arise or there are violations. Ms. Broeren reminded the applicant of the importance of respecting the private property line vs. public right-of-way. Ms. Broeren confirmed with staff that the width of the public sidewalk at its narrowest point exceeds the minimum code requirement by 5.5 ft., which will ensure adequate pedestrian clearance along the sidewalk.

Ms. Broeren summarized by stating that because what was being requested is consistent with the previous approval which had not resulted in any violations, the applicant may go forward with

approval. Ms. Broeren stated she would approve the request with one change, and asked staff to modify suggested finding No.2 as follows:

The two (2) years utilized for the previous temporary use permit had resulted in no violations relative to inconsistencies with the associated conditions of approval.

**TEMPORARY USE PERMIT NO. 2007-001 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED FINDINGS AND SUGGESTED CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15304 of the CEQA Guidelines, because the project consists of a minor temporary use of land having negligible or no permanent effects on the environment.

**FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 2007-001:**

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan (Pedestrian Overlay District), Local Coastal Program and Downtown Specific Plan; and provisions of Chapter 241 of the Huntington Beach Zoning and Subdivision Ordinance, including the following policies:
  - LU 15.2.2: Require that uses in the Pedestrian overlay district be sited and designed to enhance and stimulate pedestrian activity along the sidewalks.  
  
Assure that areas between building storefronts and public sidewalks are visually and physically accessible to pedestrians.
  - LCP/DTSP: Main Street should be lively, active commercial district at the street level. The first floor or developments along Main Street should be commercial, with open-air establishments encouraged.
2. Approval of the application for the proposed temporary use will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. Proposed sales events will occur adjacent to the applicant's storefront and will be sited to prevent interference with use of the surrounding area. The two (2) years utilized for the previous temporary use permit had resulted in no violations relative to inconsistencies with the associated conditions of approval. In addition the temporary use permit is conditioned to ensure that adequate public, disabled, and emergency access will be maintained.

**CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 2007-001:**

1. The site plan, floor plans, and elevations received and dated January 8, 2007, shall be the conceptually approved design.
2. Temporary Use Permit shall be valid for a maximum period of five years (2007-2011).

3. Prior (10 days minimum) to commencement of the use each year, a schedule (dates) for temporary sidewalk sales events to occur in that year (not to exceed 49 days), shall be submitted to the Planning Department.
4. The use shall comply with the following:
  - c. The temporary sales area shall be entirely confined to private property. Any encroachment into the public right-of-way shall be prohibited.
  - d. The sales area shall be cordoned off (i.e. roped off with a minimum 36" high barrier), nine feet from the building façade with intermittent openings every 10 to 15 feet for customer access.
  - e. Four-foot wide clearance shall be maintained along side the display racks within the "cordoned off" area between the sales racks and pedestrian pathway.
  - f. A ten-foot wide clear path of travel shall be maintained along the sidewalk. Required pathways for patron and disabled access shall be maintained clear of obstructions.
  - g. All required exists and access ways to the tenant space, as determined by the Building & Safety Department, shall be maintained clear and free of obstructions. The minimum required access width shall be 48 inches.
  - h. All overhead obstruction shall be a minimum of 80 inches above the walking surface.
  - i. All sales transactions shall occur inside the store.
  - j. Sales to patrons in vehicles or in the public right-of-way shall be prohibited.
  - k. Line formations within the public right-of-way shall be prohibited.
  - l. Sales events, including associated furniture, structures, patron lines, etc., shall not in any way interfere with access to any commercial establishment.
  - m. Furniture pieces shall weigh less than 35 pounds each.
  - n. All displays associated with sales events shall be maintained in an orderly condition.
  - o. Only the uses described in the narrative and the dates and times in the approved schedule(s), shall be permitted. Any proposed change to the approved schedule and dates shall be submitted to the Planning Director for review and approval a minimum of ten days in advance of the planned event date.
5. The site plan shall include the following items:
  - p. Square footage of the proposed sidewalk sale area.
  - q. Indicate entire sidewalk sale area.
  - r. Dimension the pedestrian path of travel in the City right-of-way.
  - s. Indicate the pedestrian path of travel.



- t. Indicate with a note that a clear unobstructed pedestrian path of travel shall be maintained along the sidewalk at all times.
  - u. Indicate the meaning of each symbol that appears on the site plan.
6. After an initial warning(s), the Code Enforcement Division reserves the right to cease operation of the temporary outdoor sales in the event that the use is in violation of the conditions of approval of Temporary Use permit 07-01.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**ITEM 3: CONDITIONAL USE PERMIT NO. 2007-002 (CORREA RESIDENTIAL ADDITION)**

APPLICANT: Jay Earl, 16541 Mariana Circle, Huntington Beach, CA 92648  
PROPERTY OWNER: Ivan & Karen Correa, 1026 13<sup>th</sup> Street, Huntington Beach, CA 92648  
REQUEST: To permit a second floor addition to an existing single-story residence with an overall building height exceeding 30 ft. (approximately 32 ft.).  
LOCATION: 1026 13<sup>th</sup> Street (south side of 13<sup>th</sup> Street, between Park and Lake Streets)  
PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary. Staff stated that some comments were received with questions of a general nature from neighboring residents but no opposition to the project was received. No other written or verbal comments were received in response to the public notification.

**THE PUBLIC HEARING WAS OPENED.**

Elizabeth Shier-Burnett, 1016 13<sup>th</sup> Street, neighboring property owner, spoke in support of the application and stated her approval of the elevation and the project design.

**THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.**

Mary Beth Broeren, Zoning Administrator, confirmed with the applicant that there would be no changes to the garage and that the existing wall for the patio cover will be removed.

**CONDITIONAL USE PERMIT NO. 2007-002 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.**

**FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 – *Existing Facilities* of the CEQA Guidelines, which excepts negligible expansion of existing structures not resulting in an increase of more than 10,000 square feet of an existing use if:

- (a) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
- (b) The area in which the project is located is not environmentally sensitive.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2007-002:**

1. Conditional Use Permit No. 2007-002 for a 2,237 sq. ft. first and second floor addition with an overall building height of 32 ft. will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The overall building height is not anticipated to impact surrounding properties because the portion of second floor addition exceeding 30 ft. in height will result from a center gable roof that projects 10 ft. 6 in. above the second story top plate to enclose non-habitable air space.
2. The conditional use permit to construct a second story addition to a single family home will be compatible with surrounding uses because the proposed addition is designed with varying roof heights that minimize overall building mass and bulk. Furthermore, several other single-family homes with similar designs have been constructed within the neighborhood.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The HBZSO permits building heights exceeding 30 ft. (up to 35 ft.) with approval of a Conditional Use Permit. The project complies with all other applicable development regulations, including minimum yard setback, minimum on-site parking, and site coverage.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL (Residential Low Density) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
  - LU 9.1.2: Require that single-family residential units be designed to convey a high level of quality and character considering the following guidelines:
  - LU 9.1.2a: Modulate and articulate building elevation, facades, and masses (avoiding undifferentiated “box-like” structures).
  - LU 9.1.2d: Encourage innovative and creative design concepts.

The proposed project is a uniquely designed residence that incorporates components of craftsman architecture. The overall massiveness and volume of the proposed structure is broken up with changing roof lines, unenclosed eave overhangs, exposed roof rafter tails, a full ground level porch

with tapered columns, and ornate ornamental details to create a residence with a high level of quality and character.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2007-002:**

1. The site plan, floor plans, and elevations received and dated January 11, 2007 shall be the conceptually approved design.
2. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**MEETING WAS ADJOURNED AT 2:08PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, MARCH 21, 2007 AT 1:30 PM.**

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Mary Beth Broeren  
Zoning Administrator  
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